

Permitted Development Rights

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Version: 1.0 (published)

Last updated: 23.03.23

Guidance

1. Permitted Development Rights
2. Permitted Development Rights Withdrawn and Article 4 Directions
3. Prior Approval
4. Fee
5. Guidance notes
6. Further information required if objections received

1. Permitted Development Rights

You can perform certain types of work without needing to apply for planning permission. These are called "permitted development rights".

They derive from a general planning permission granted not by the local authority but by Government. Bear in mind that the permitted development rights which apply to many common projects for houses do not apply to flats, maisonettes or other buildings. Similarly, commercial properties have different permitted development rights to dwellings.

In some areas of the country, known generally as 'designated areas', permitted development rights are more restricted. For example, if you live in:

- a Conservation Area
- a National Park
- an Area of Outstanding Natural Beauty
- a World Heritage Site or
- the Norfolk or Suffolk Broads.

You will need to apply for planning permission for certain types of work which do not need an application in other areas. There are also different requirements if the property is a listed building.

2. Permitted Development Rights Withdrawn

You should also note that the local planning authority may have removed some of your permitted development rights either by condition or by issuing an 'Article 4' direction. This will mean that you have to submit a planning application for work which normally does not need one. Your deeds will contain any restrictions imposed by either condition or an Article 4 Direction. However, if you require confirmation of this status from the Local Planning Authority, you can apply for 'Technical Advice' by emailing developmentcontrol@luton.gov.uk and we will notify you of the cost of providing this information.

Article 4 directions are made when the character of an area of acknowledged importance would be threatened. They are most common in conservation areas.

Further information is available on [Article 4 Directions](#)

3. Prior Approval

Certain types of development are granted planning permission by national legislation without the need to submit a planning application. This is known as 'Permitted Development'. In order to be eligible for these permitted development rights, each 'Class' specified in the legislation has associated limitations and conditions that proposals must comply with.

Most permitted development rights are subject to conditions and limitations.

One such condition on certain classes of permitted development is that before and development is commenced, you need to apply to the Local Planning Authority for its 'Prior Approval'; or to determine if its 'Prior Approval' will be required.

4. Location Plan with scale bar (typically at a scale of 1:1250 or 1:2500)

For all planning applications and prior approvals, you will require a site location plan and this should be based on an up-to-date map, include the direction of north and should identify sufficient roads and/or buildings on land adjoining the application site. The application site should be edged clearly with a red line and a blue line should be drawn around any other land owned by the applicant, close to or adjoining the application site.

5. Fee

Most application will require a fee. The quickest and most efficient way to submit your application and fee is via the Planning Portal. In cases where you are unable to submit via the Planning Portal you will need to email developmentcontrol@luton.gov.uk to confirm you wish to pay the application processing fee and application fee and we will send you the payment details. Please note that we do not accept cheques sent to Luton Borough Council.

The [Planning Portal's Fee Calculator](#) can help you calculate the planning fee required for your application.

6. Guidance notes

There is some information on our website providing guidance for making a planning application. In the majority of cases, you will employ an Agent/Architect to submit your application for you and they will be able to advise you further. If you wish to find out more about the process beforehand, the governments document [Making an application - GOV.UK \(www.gov.uk\)](http://www.gov.uk) is very informative.

7. Further information Required

Site Plan (typically at a scale of 1:100 or 1:200)

The site plan should accurately show:

The length that the extension extends beyond the rear wall of the original house, height at the eaves and the height of the highest point of the extension

Dimensions should be accurate and the plans should be drawn to metric scale

This drawing should:

- Contain a scale bar
- Be of a scale of 1:100 or 1:200 (in metric measurements)
- As a minimum, accurately show the height and outline of neighbouring dwellings/buildings and the position and size of windows/doors
- Accurately show any differences in levels, including dimensions
- Include written dimensions for gaps between buildings.

Existing and proposed floor plans and elevations (typically at a scale of 1:100 or 1:500)

- Contain a scale bar
- Should clearly show the proposed works in relation to what is already there
- Show all sides of the proposal
- Show where a proposed elevation adjoins or is in close proximity to another building and should accurately show the height and outline of neighbouring dwellings/buildings and the position and size of windows/doors
- Accurately show any differences in levels, including dimensions.

Photograph(s)

Photographs showing the rear of the development property and the adjoining properties would be helpful